

REMARKS

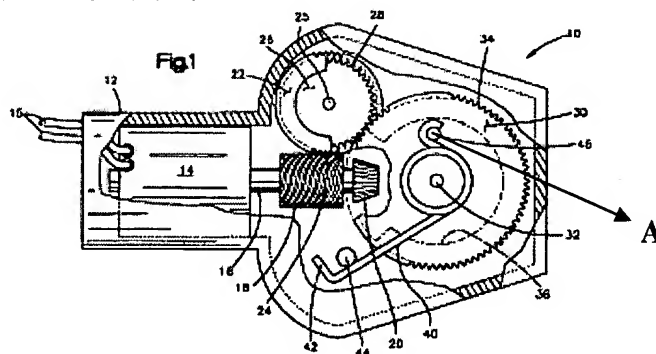
The drawings received August 24, 2006 were not accepted as not complying with 37 CFR 1.84 as the faxed drawing sheets are unacceptable. New replacement figures are enclosed. Figures 3 and 3A have been amended to show the rod 331, the vehicle door latch assembly 350 and a pawl tooth 381.

The drawings are also objected under 37 CFR 1.84 and 37 CFR 1.83(a) as not showing the first direction and the second direction recited in claims 1 and 12 as arrows. Figure 1 has been amended to show the first direction X and the second direction Y.

Claims 12, 22 and 23 are objected to as not having antecedent basis for "said rest condition." Claims 12 has been amended to recite "said rest position."

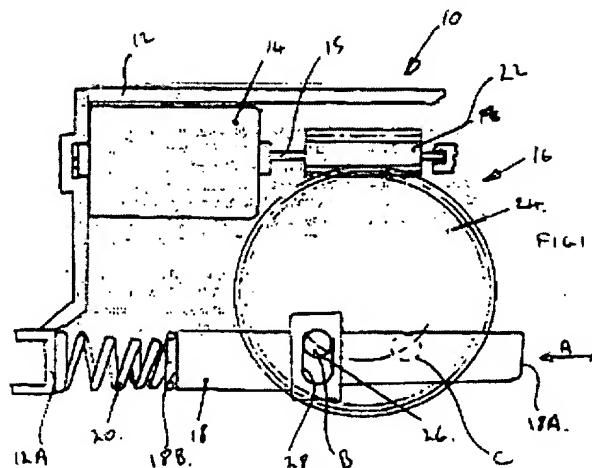
Claims 21 and 23 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner states that the term "operable" is vague and indefinite. Claims 21 and 23 has been amended to recite that the actuator is "configured."

Claims 1-6, 8-12 and 20-23 are rejected under 35 USC 102(b) as being anticipated by Pearson et al. (EP 0939245). Claims 1-6, 8-11 and 20-21 are not anticipated by Pearson et al. Pearson et al. does not disclose an actuator assembly including an energy storing member that provides a force having a line of action that substantially passes through a pivot point of an output member when in a rest position as claimed. In Pearson et al., the output gear 30 (which the Examiner is interpreting as being the output member) pivots about a pivot point (reference numeral 32). A return spring 40 produces a force as the return spring 40 abuts a pin 46. As shown below in Figure 1, the line of action of the force acts along line A. The line of action of the force does not pass substantially through the pivot point 32 of the output gear 30 as recited in claims 1-6, 8-11 and 20-21.



Claims 12 and 22-23 are also not anticipated by Pearson et al. Pearson et al. does not disclose an actuator assembly including an energy storing member that provides a force that acts to drive an output member in a second direction from an actuated position to a rest position as claimed. Pearson et al. discloses an output gear 30 that moves in a counter-clockwise direction (the second direction) from an actuated position to a rest position to store energy in a return spring 40. As shown in Figure 1, as the return spring 40 is located to the left of the pin 46 of the output gear 30, the return spring 40 cannot drive the output gear 30 in the counter-clockwise direction. The return spring 40 could only drive the output gear 20 in the clockwise direction (which is not the second direction). The claimed invention is not anticipated.

Claims 1-8, 12 and 20-23 are rejected under 35 U.S.C. 102(a) as being anticipated by Spurr (EP 1 128 006). Claims 1-8, 12 and 20-21 are not anticipated. Spurr does not disclose an actuator assembly including an energy storing member that provides a force having a line of action that substantially passes through a pivot point of an output member when in a rest position as claimed. In Spurr, a spring 20 provides a force having a line of action that acts horizontally and in line with arrow A of Figure 1, as shown below. Therefore, the line of action of the force does not act through a pivot point of a worm wheel 24 (which the Examiner is calling the output member). In another embodiment, as shown in Figure 3, a spring 78 provides a force having a line of action that acts on a spring abutment 74. The line of action of the force does not act substantially through a pivot point A of a worm wheel 60 (which the Examiner is calling the output member). Spurr does not disclose an actuator assembly including an energy storing member that provides a force having a line of action that substantially passes through a pivot point of an output member when in a rest position. The claimed invention is not anticipated.

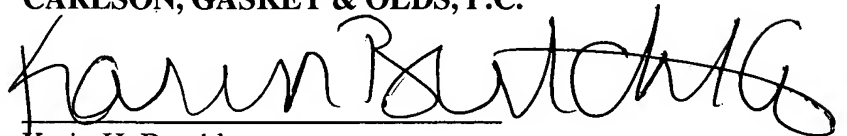


Claims 12 and 22-23 are also not anticipated by Spurr. Spurr does not disclose an actuator assembly including an energy storing member that provides a force that acts to drive an output member in a second direction from an actuated position to a rest position. In the embodiment of Figure 1, Spurr discloses a worm wheel 24 that moves in a clockwise direction (a second direction) from an actuated position to a rest position to store energy in a spring 20. When in the rest position, the spring 20 is compressed (paragraph 13). Therefore, the spring 20 drives the worm wheel 24 in a counter-clockwise direction and not in the clockwise direction (second direction) as claimed. Additionally, in the embodiment of Figure 3, a worm wheel 60 moves in a counter-clockwise direction (a second direction) from an actuated position to a rest position to store energy in a spring 78. When in the rest position shown in Figure 3 (disclosed in paragraph 28), the spring 78 is compressed. Therefore, the spring 78 is acting to drive the worm wheel 60 in a -clockwise direction and does not drive the worm wheel 60 in a counter-clockwise direction (second direction). The claimed invention is not anticipated, and Applicant respectfully requests that the rejection be withdrawn.

Thus, claims 1-12 and 20-23 are in condition for allowance. The Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C. \$120.00 for the one month extension fee. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.

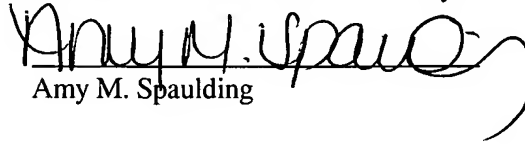


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CERTIFICATE OF MAIL

I hereby certify that the enclosed response and replacement drawings are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 28, 2007.


Amy M. Spaulding